

UNITED STATES OF AMERICA)
)
v.) NO. 2:04-CR-55
)
ADELBERTO LARA PORTELA)

This criminal matter is before the Court to address the appeal of the government in regard to the Magistrate Judge’s order filed on November 22, 2004. [Doc. 36]. The Court first notes that the government had erroneously titled this appeal as a “Notice of Objection.” The government is admonished that any pleadings in the future that are captioned incorrectly will be stricken because misnomers make it difficult to properly link a pleading. After careful consideration of the record as a whole, it is hereby **ORDERED** as follows:

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witnesses will be called to testify that the defendant was present in the Eastern District of Tennessee that will be called to testify in regard to the drug transaction. Accordingly, it is hereby **ORDERED** that Counts One and Two will be joined for trial on January 25, 2005.

2. The appeal of the order filed by the government, [Doc. 36], in regard to disclosure of the identifying information about the cooperating witness is **DENIED** because the Court FINDS that the Magistrate Judge's order is not clearly erroneous, an abuse of discretion, or contrary to law. Accordingly, it is hereby **ORDERED** that the Magistrate Judge's order is **ADOPTED** and **AFFIRMED** in regard to the cooperating witness.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE